

38

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REMARKS/ARGUMENTS

DEC 05 2006

1. In the above referenced Office Action, the Examiner rejected claims 1, 8, 16 and 21 under 35 USC § 102 (e) as being anticipated by Knowles (U.S. Patent No. 6,505,348); claims 28-36 under 35 USC § 102 (e) as being anticipated by Humpleman (U.S. Patent No. 6,005,861); claims 37, 44, 52 and 57 under 35 USC § 103 (a) as being unpatentable over Knowles (U.S. Patent No. 6,505,348 in view of Schupak (U.S. Patent No. 6,069,621); claims 1, 9, 15, 16, 22, 25, 27, 37, 45, 51, 52, 58, 61 and 63 under 35 USC § 103 (a) as being unpatentable over Chen (U.S. Patent No. EP 0952734 A2 in view of Mizutani (U.S. Patent No. 6,925,500); claims 2-5, 17, 18, 38-41, 53 and 54 under 35 USC § 103 (a) as being unpatentable over Chen (U.S. Patent No. EP 0952734 A2 in view of Mizutani (U.S. Patent No. 6,925,500) and further in view of Schupak (U.S. Patent No. 6,069,621); claims 10, 11, 23, 24, 46, 47, 59 and 60 under 35 USC § 103 (a) as being unpatentable over Chen (U.S. Patent No. EP 0952734 A2 in view of Mizutani (U.S. Patent No. 6,925,500) and further in view of Wang (U.S. Pub. No. 2001/0012121 A1). The Examiner has objected to claim 28 based on informalities. The rejections and objections have been traversed and, as such, the applicant respectfully requests reconsideration of the allowability of claims 1-63.

2. Claim 28 was objected to based on an informality that has been corrected based on Examiner's suggestion. The Applicant thanks the Examiner for suggesting this correction and respectfully submits that this amended claim is now definite and requests that this objection be withdrawn.

39

3. As discussed above, claim 1 was rejected as anticipated by Knowles. Claim 1 includes the following:

processing data of the channel of interest based on type of channel to produce generic data;

In rejecting claim 1, the Examiner refers to the MPEG decoder elements 14-16 as including this feature. In particular, the Examiner cites the following description from Knowles,

The data stream is fed to the three tuners 11-13 and the output of each tuner is decoded by the MPEG decoders 14-16.

However, Knowles does not process data of a channel of interest based on the type of channel to produce generic data. The MPEG decoders elements 14-16 of Knowles can only process one type of channel, an MPEG encoded channel and can only process this type of channel in one way, by MPEG decoding. These MPEG decoders cannot process the channel of interest based on the type of channel, as set forth in claim 1.

For this reason, claim 1, and claims 2-15 that depend therefrom are believed to be patentably distinct from the prior art.

3. Claim 16 was also rejected as being anticipated by Knowles. Claim 16 includes a similar recital to claim 1,

40

processing data of the channel of interest based on the type of data to produce generic data;

As discussed above, However, Knowles does not process data of a channel of interest based on the type of channel to produce generic data. The MPEG decoders elements 14-16 of Knowles can only process one type of channel, an MPEG encoded channel and can only process this type of channel in one way, by MPEG decoding. These MPEG decoders cannot process the channel of interest based on the type of channel, as set forth in claim 16.

For this reason, claim 16, and claims 17-27 that depend therefrom are believed to be patentably distinct from the prior art.

4. As discussed above, claims 28 was rejected as being anticipated by Humpleman. Claim 28 recites:

data transcoding module operably coupled to convert the generic data of the at least one channel into a stream of data having a specific data format.

In setting forth the basis of this rejection, Examiner states that Humpleman teaches that the MPEG stream is parsed into a one-channel stream and is converted from the external network protocol to the home network protocol. Humpleman, by contrast does not disclose either transcoding, or a transcoding module as set forth in claim 28. While channel data may be converted from an external protocol to an internal protocol, protocol conversion does

41

not alter the coding of the data or provide transcoding from one code to another.

For this reason, claim 28, and claims 29-36 that depend therefrom are believed to be patentably distinct from the prior art.

5. As discussed above, claim 37 was rejected based on the combination of Knowles and Schupak. Claim 37 includes a similar recital to claim 1,

processing data of the channel of interest based on the type of data to produce generic data;

As discussed above, However, Knowles does not process data of a channel of interest based on the type of channel to produce generic data. The MPEG decoders elements 14-16 of Knowles can only process one type of channel, an MPEG encoded channel and can only process this type of channel in one way, by MPEG decoding. These MPEG decoders cannot process the channel of interest based on the type of channel, as set forth in claim 37. This deficiency is not correct by combining Knowles with Schupak.

For this reason, claim 37, and claims 38-51 that depend therefrom are believed to be patentably distinct from the prior art.

5. Claim 52 was also rejected based on the combination of Knowles and Schupak. Claim 52 includes a similar recital to claim 1,

42

processing data of the channel of interest based on the type of data to produce generic data;

As discussed above, However, Knowles does not process data of a channel of interest based on the type of channel to produce generic data. The MPEG decoders elements 14-16 of Knowles can only process one type of channel, an MPEG encoded channel and can only process this type of channel in one way, by MPEG decoding. These MPEG decoders cannot process the channel of interest based on the type of channel, as set forth in claim 52. This deficiency is not correct by combining Knowles with Schupak.

For this reason, claim 52, and claims 53-63 that depend therefrom are believed to be patentably distinct from the prior art.

6. Claims 1, 16, 37 and 52 where also rejected based on the combination of Chen and Mizutani. Like Knowles, Chen and Mizutani do not process data of a channel of interest based on the type of channel to produce generic data. In discussing the basis of this rejection, the Examiner admits that Chen lacks this feature and relies instead on the teaching of Mizutani. In particular, the Examiner points to demultiplexer 54 (and apparently video and audio decoders 55 and 58) of Mizutani of Figure 2 as teaching that audio and video of an incoming MPEG signal are converted into PCM and NTSC signals. Like Knowles however, these MPEG decoders can only process one type of channel, an MPEG encoded channel (with combine audio and video) and can only process this type of channel in one way, by MPEG decoding. These MPEG decoders cannot process the channel

43

of interest based on the type of channel, as set forth in claims 1, 16, 37 and 52.

For this reason, claims 1, 16, 37 and 52 are believed to be patentably distinct from the prior art. In addition, various claims dependent upon claims 1, 16, 37 and 52 were rejected either by the combination of Chen and Mizutani or by further combinations of of chen and Mizutani with either Schupak or Wang. The deficiencies of Chen and Mizutani discussed above are not correct by combining Knowles with Schupak. For this reason, claims 2-15, 17 27, 30-51 and 53-63 are also believed to be patentably distinct from the prior art.

44

For the foregoing reasons, the applicant believes that claims 1-63 are in condition for allowance and respectfully request that they be passed to allowance.

The Examiner is invited to contact the undersigned by telephone or facsimile if the Examiner believes that such a communication would advance the prosecution of the present invention.

A three-month petition for extension of time and credit card payment form are included to pay the accompanying fee. This response is therefore timely made. No additional fees are due. The Commissioner is authorized to charge any fees that are required or credit any overpayment to Deposit Account No. 50-2126 (VIXS 005).

RESPECTFULLY SUBMITTED,

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CERTIFICATE OF FACSIMILE

I hereby certify that this correspondence is being transmitted by facsimile to fax number (571) 273-8300 addressed to: Commissioner of Patents and Trademarks, Alexandria, Virginia 22313, on the date below:

12/05/2006
Date

Diane Hudson
Signature